

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

K.A., *a minor*,  
*guardian ad litem*, Mayra P.

Plaintiff,

v.

CLINICA SIERRA VISTA, *et al.*,

Defendants.

Case No. 1:21-cv-01105-NONE-EPG

ORDER GRANTING THIRD MOTION FOR  
EXTENSION OF TIME TO RESPOND TO  
COMPLAINT

(ECF No. 16)

On July 20, 2021, Plaintiff K.A., a minor, through counsel, filed this action under the Federal Tort Claims Act, California statutory law, and California common law. (ECF No. 2). Currently before the Court is the third motion for extension of time to respond to the complaint filed by Defendants Clinica Sierra Vista, Dmitri De La Cruz, M.D., and Kathleen Kalfman. (ECF No. 16; *see* ECF Nos. 11, 13). As grounds, Defendants state that an extension to December 17, 2021, is sought because Clinica Sierra Vista is a federally funded community health center and is therefore required to tender the Complaint to the Department of Health and Human Services (DHHS) so that it may review the matter for coverage under the Federal Tort Claims Act and that an extension is necessary because DHHS needs more time to complete its determination of the FTCA coverage and tender of the Complaint. (ECF No. 16, p. 2). Defendants represent that Plaintiff does not oppose the extension request.

1 Being sufficiently advised, IT IS ORDERED that the third motion for extension of time to  
2 respond to the complaint (ECF No. 16) is granted. Defendants Clinica Sierra Vista, Dmitri De La  
3 Cruz, M.D., and Kathleen Kalfman shall respond to Plaintiff's complaint no later than December  
4 17, 2021.

5 Given the extension of time for Defendants to respond to Plaintiff's complaint until  
6 December 17, 2021, IT IS FURTHER ORDERED that the Initial Scheduling Conference  
7 currently set for December 13, 2021, is CONTINUED and will now be held on January 10, 2022,  
8 at 10:30 AM in Courtroom 10 (EPG) before Magistrate Judge Erica P. Grosjean. To appear  
9 telephonically, each party is directed to use the following dial-in number and passcode: 1-888-  
10 251-2909; passcode 1024453. The parties are also reminded to file a joint scheduling report one  
11 full week prior to the conference and email a copy of same, in Word format, to  
12 epgorders@caed.uscourts.gov, for the Judge's review.

13 IT IS SO ORDERED.

14 Dated: November 22, 2021

15 /s/ Erica P. Grosjean  
16 UNITED STATES MAGISTRATE JUDGE  
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